

**** NOT FOR PRINTED PUBLICATION****

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION

JOHN MILLER

§

VS.

§

CIVIL ACTION NO. 9:21-CV-170

TDCJ-CID, *et al.*,

§

ORDER ACCEPTING THE MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATION

Plaintiff, John Miller, an inmate confined at the Eastham Unit with the Texas Department of Criminal Justice, Correctional Institutional Division, proceeding *pro se*, filed this civil rights action pursuant to 42 U.S.C. § 1983 against Defendants the Texas Department of Criminal Justice, Correctional Institutions Division, and Warden Donald Muniz.

The court referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, at Lufkin, Texas, for consideration pursuant to applicable laws and orders of this court. The Magistrate Judge recommends dismissing this case for want of prosecution pursuant to Federal Rule of Civil Procedure 41(b) (Doc. # 15).

The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such order, along with the record, and pleadings. No objections to the Report and Recommendation of United States Magistrate Judge have been filed to date.¹

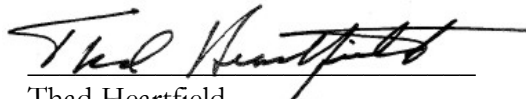
ORDER

Accordingly, the findings of fact and conclusions of law of the Magistrate Judge are correct, and the report of the Magistrate Judge is **ACCEPTED**. A Final Judgment will be entered in this

¹No inmate number was provided for Plaintiff John Miller in the Original Complaint (Doc. #1). The court has no way to identify this inmate. There are two inmates by the name John Miller at the Eastham Unit.

case in accordance with the Magistrate Judge's recommendations.

SIGNED this the **2** day of **November, 2021**.


Thad Heartfield
United States District Judge